

# **Compulsory Insurance in Case of Liability for Damage**

## **Abstract**

This thesis analyzes the Czech legal regulation of compulsory contractual insurance in its broader context. The thesis is largely focused on mandatory contractual insurance for health service providers. In order to fulfil the objectives of this thesis, methods of analysis, description and comparison were used.

The first chapter deals with the historical development of insurance and insurance in the world and the Czech lands. One of the subchapters is then specifically devoted to the historical development of compulsory contractual insurance.

The second chapter deals with the separate concept of compulsory contractual insurance. The chapter deals in particular with the difference between statutory and contractual insurance and, within the framework of contractual insurance, the difference between mandatory and voluntary. The categories and types of insurance are also presented here.

The third chapter contains a comparison of the current and previous Czech legislation on compulsory contractual insurance and analyzes the current legislation. It also deals with the essentials of the insurance contract and the question of the extent of the compulsory contractual insurance, in particular with regard to the non-stipulation of the minimum extent of compulsory contractual insurance in most special legal regulations.

The fourth chapter is a substantial part of this work and is focused on the legal regulation of compulsory contractual insurance of health service providers. The first part of the chapter describes how the provision of compulsory contractual insurance for health service providers has occurred and how it was developed. Subsequently, the chapter deals with the concept of civil liability in health service providers. In the fourth subchapter, selected problematic aspects are analyzed, while partial proposals *de lege ferenda* are also presented. The conclusion of the chapter is a comparison of insurance contracts and insurance concepts for individual health service providers, especially at university hospitals.

The final chapter deals with current trends in compulsory contractual insurance, which are in particular the growing rate of regulation and the increase in compulsory contractual insurance

within the Czech legal system. The chapter also analyses the possibilities of further compulsory contractual insurance, especially in the context of robotics.

**Keywords:** compulsory contractual insurance, liability for damage, providers of health services